

Remarks

Claims 1-23 are currently pending in this application. Claim 6 has been amended. All claims are before the Examiner for consideration.

Claims 1-23 have been rejected under 35 U.S.C. §112, first paragraph. Claim 1 was previously amended to state that the solvent used in the postpolymerization step is the same as the solvent used in the prepolymerization step. Applicants note that if each polymerization step was carried out in the same solvent there would be no reason to have separate steps. The pre- and post-polymerization steps in the Examples are each carried out in different solvents. Claim 6 has been amended to clarify the solvent used in the postpolymerization step is a mixture of a protic polar solvent and an aprotic polar solvent. It would be apparent to one skilled in the art that step b) and step c) should be carried out in different solvents. Applicants therefore respectfully request reconsideration and withdrawal of the rejection.

Claims 1-23 have been rejected under 35 U.S.C. § 102(b) over Kiely *et al.* ('035). The Office Action states that the method of cited reference is shown to prepare compounds of the chemical formulas claimed in this application. Applicants note however that, although the compounds described have the same chemical formulas, they do not have the same structure. The claimed polymers are more stereoregular than those previously described and are bigger than those previously described. Paragraphs 5 and 14 of the subject application explain that the previous method resulted in alcoholysis of the amide bond of the starting materials producing a mixture of molecules. This mixture of molecules resulted in decreased stereoregularity of the final polymer. The claimed method prevents this alcoholysis resulting in the production of more stereoregular polymers. The currently claimed method further provides polymers that are larger than those prepared by the cited method. Table 1, on page 10, of the specification shows an increase in  $M_n$  of polymers prepared by the claimed method as opposed to those prepared by the cited method. The polymers prepared by the claimed method are not the same as those prepared by the cited method. The claimed method forms larger, more stereoregular polymers. Further, in describing uses of the polymers prepared by the previous method, the cited reference states they can be used in films or combined with other polymers to form, for example, biodegradable materials. The cited reference does not suggest that

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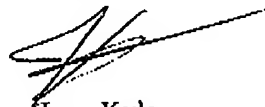
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a second polymerization step be preformed that assures the resulting polymers are more stereoregular and larger. The cited reference does not teach the claimed method that produces large, stereoregular polymers. Reconsideration and withdrawal of the rejection based on this reference is therefore respectfully requested.

In view of the foregoing remarks and the amendments to the claims, applicants believe that the claims are now in condition for allowance and such action is respectfully requested.

Applicants invite the Examiner to call the undersigned if clarification is needed on any of this response, or if the Examiner believes a telephone interview would expedite the prosecution of the subject application to completion.

Respectfully submitted,



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